

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES EDWIN PHINNEY, IV,

Plaintiff,

v.

JEFFEREY CARSON, et al.,

Defendants,

No. 4:16CV579 HEA

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion for extension of time to file an amended complaint and for waiver of the partial initial filing fee. The motion is granted in part and denied in part.

The Court ordered plaintiff to submit an amended complaint because his pleading did not contain a short and plain statement of the facts he believes entitle him to relief. Plaintiff says he does not have adequate access to a law library, and therefore, he cannot draft his complaint. Plaintiff is reminded that he is required to state the *facts* of his case in the complaint. He does not need to, and he should not, cite legal authority or case law in support of his facts. An extension will be granted. However, plaintiff is required to pay the initial filing fee.

IT IS HEREBY ORDERED that plaintiff's motion for extension of time to file an amended complaint and for waiver of the partial initial filing fee [ECF No.

13] is **GRANTED** in part and **DENIED** in part. Plaintiff must submit his amended complaint and the \$1.00 partial initial filing fee no later than **June 9, 2016**.

IT IS FURTHER ORDERED that if plaintiff does not comply with this Order, the Court will dismiss this action without further proceedings.

Dated this 9th day of May, 2016

A handwritten signature in cursive script, reading "Henry Edward Autrey", written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE